Pacific Island Standards Committee (PISC)
Technical Committee (TC) 3 Kava Committee meeting
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Why Standards must begin with defining kava

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(PPT[1] [PowerPoint slide])

Context: I am a kava health researcher of iTaukei (indigenous Fijian) ancestry, based at the University of Waikato, and leading a team of 40+ part-time kava health researchers across three countries inclusive of traditional knowledge experts, molecular biologists, toxicologists, ethnopharmacologists, clinical psychologists and more. For eight of the past 10 years, our work has been funded by the Aotearoa New Zealand Government through the Health Research Council Pacific. I (personally) have no financial interests in the kava industry. This is reasoned on an increasing level of unethical practice associated with 'kava capitalism' and the threat this poses to another kava ban. A lot our research addresses kava-related health mis- and dis-information, with the aim of safeguarding kava as a Pacific cultural keystone species and protecting smallholder Pacific kava farmer livelihoods and export earnings.

Attendees have been invited by the TC3 Committee lead to speak on kava initiatives in our area. For our team, this centres on research: supporting kava as a cultural icon, addressing misinformation and safety concerns through clinical trials, computational analysis and other approaches, all to aid kava's ongoing availability for cultural purposes and as an income source for Pacific farmers. This also involves challenging cultural appropriation, greed-driven capitalists and 'culture industry'[a] activities that threaten kava's integrity and consumer safety. I will speak to kava initiatives from this research perspective.

[a] Horkheimer and Adorno (2002) define the 'culture industry' as a form of consumerism that leverages the 'exotic other' and the 'culture of the native' to construct artificial environments and conditions aimed at generating profit. Examples of the kava 'culture industry' are evident in practices such as biopiracy and the trademarking of *Piper methysticum* plant material grown outside the Pacific region; the appropriation of the name *kava* to market 'products containing *Piper methysticum*' that do not meet culturally grounded definitions of kava; and certain 'kava bar' activities. As one kava bar owner in the United States acknowledged in a social media post: "We're in an American kava group, we're all guilty of some degree of cultural appropriation lol. I for one did not opt to hang dozens of regionally inaccurate tribal masks all over my bar, but it's certainly a common choice" (Brian Nickol, Facebook, Jan. 2026).

(PPT[2]) The Committee Formation document we received in the lead up to this meeting states that the Committee recognises kava's cultural significance alongside "the need for consistent, evidence-based standards to support regional and international market access."

The Terms of Reference we received further commits to "developing and maintaining harmonised Pacific Regional Kava Standards that safeguard authenticity, ensure quality and safety," including "adopting common definitions" and laying "the groundwork for a future Geographical Indicator (GI)."

However, the *Inclusion/Exclusion* section (in the Terms of Reference) appears to contradict this by conflating kava with dietary supplements, extracts, instant mixes, and nutraceuticals; products that bear no resemblance to culturally defined kava.

Therefore, before meaningful – particularly evidence-based standards – can be developed, we must first answer a foundational question:

What is kava, and who has the authority to define it?

I will address this using peer-reviewed research and supporting evidence, with a comprehensive reference list (under key headings) available at the end of this paper inclusive of PowerPoint slide images as used in this presentation.

1. Kava is not simply a plant or substance – it is a *cultural system*

Over the past 50-odd years, kava has increasingly been reduced – often through capitalist framings and 'culture industry' activities – to simply plant and beverage. Yet across the Pacific, kava is understood as a holistic cultural system.

(PPT[3]) From Papua New Guinea to Hawai'i[b], traditional knowledge systems describe kava as:

- The *lifeblood of culture*
- A *sacrament*
- A *conduit* of relational connection
- An ingestible manifestation of the vanua - *wainivanua, pukepuke fonua* etc.

Kava is both noun and verb, encompassing:

- The *Piper methysticum* plant and beverage

[b] On 23 November 1993, U.S. President Bill Clinton enacted *Public Law 103-150* (the "Apology Resolution"), formally acknowledging and apologising for the United States' role in the illegal overthrow of the Kingdom of Hawai'i in 1893. This recognition situates Hawai'i within a settler-colonial framework. Accordingly, invoking Hawai'i's statehood to legitimise the cultivation of Pacific kava on the continental United States lacks procedural and legal grounding and may be understood as a form of biopiracy. Such practices conflict with established international agreements, under which the commercial cultivation of kava outside its Indigenous Pacific context can be considered biopiracy.

- Cultural protocols including what we sit on and how we sit, the kumete, bilo, the serving order
- And the relational practice – *talanoa-vā* – inclusive of respect-based values

This aligns with kava's recognition as a *cultural keystone species*, central to Pacific identity through its roles in ceremony, medicine, spirituality, and social systems. Kava is vastly more than beverage and plant.

Critically, the authority to define kava rests solely with Pacific peoples informed by their traditional knowledge systems, with this supported by international law frameworks and protections. Redefining, or inaccurately deploying, the term kava outside Pacific epistemological frameworks constitutes cultural appropriation.

2. Kava CODEX Alimentarius

With small variations in kava use across Oceania, but strong similarities in processing and preparation, a technical definition of kava was established in the Kava CODEX Alimentarius, including quality control standards. Importantly, this Standard was "Pacific-led and spearheaded by Vanuatu," therefore aligning it with indigenous rights frameworks.

For research purposes, the CODEX provides technical structure – the *noun*, (PPT[4]) stipulating noble varieties, quality standards, prepared solely with water – which in our work we unite with our cultural practices and values, the *verb*. This allows clinical trials to investigate kava psychopharmacology and safety to achieve the goals explained earlier.

Crucially though, the CODEX also distinguishes kava from "products used for medicinal purposes, or as ingredients in foods or other tradable products" – often referred to as 'value-added products.' This reflects what Pacific knowledge has long affirmed: <u>these products are not kava</u>.

This distinction is essential for accurately defining kava and ensuring the integrity of kava <u>research</u> and <u>safety</u>. It is equally critical for the development of robust, <u>evidence-based standards</u>.

3. Why does definition and distinction matter for Standards?

(PPT[5]) *If we do not clearly define kava, we cannot regulate it effectively.*

In addition to defining what kava is, we must also define what it is <u>not</u>. Kava as defined by traditional knowledge and supported by the CODEX technical definition is widely recognised as <u>low risk</u> (WHO etc).

In contrast, 'value-added products' or 'products containing *Piper methysticum*', including nutraceuticals, extracts, shots, pop-culture beverages, gummies etc. – often use the name kava yet bear little or no resemblance to traditional knowledge or the CODEX definition.

Importantly, those products can be:

- Highly concentrated
- Chemically altered
- Inclusive of dangerous and/or addictive additives
- And are associated with greater risk potential, including liver toxicity

Evidence supporting this claim is included in the reference list (at the end of the paper), including the recent *Drug and Alcohol Review* findings from the *Australian Kava Pilot Program* that acknowledges the health risk differences between kava and 'products'.

Despite not being kava, those products are routinely marketed as such. This creates a dangerous category error, giving consumers the impression that these 'products' are inherently safe in the same manner as kava.

Defining kava matters because it underpins evidence-based standards that aim to safeguard authenticity, ensure quality and safety, and adopt common definitions (to again quote the Terms of Reference). A clear distinction between kava and those products helps mitigate that category error.

4. Reasons for making a clear distinction between kava and 'products…'

(PPT[6]) Making a clear distinction between kava and 'products containing *Piper methysticum*' – or whatever term the Committee decides that excludes the word 'kava' – strengthens standards in several ways:

i. Public health and safety

It clarifies the difference between low-risk kava and higher-risk products, improving risk identification and management.

ii. Accurate education and information

It supports clear public understanding of what kava is in comparison to 'products', aiding education and helping to counter misinformation, with misinformation a major threat to kava and the industry; misinformation that was a key driver to the 2000 kava ban.

iii. Research integrity

Thirdly, and critical to our research, is that a clear distinction between kava and derivative products underpins research integrity and, in turn, evidence-based standards.

Most clinical trials labelled as 'kava research' – with the exception of work our team has undertaken and continues to pursue – have used products such as tablets or extracts, not kava. Of particular concern are studies utilising extracts: isolating six lactones from *Piper methysticum* does not constitute kava, nor does it resemble any traditionally informed definition of kava.

Despite this, findings from such methodologies are routinely generalised to 'kava users,' including claims about kava's psychopharmacological effects – how it acts on the brain and body. In effect, these studies purport to represent the lived and embodied experience from kava consumption, yet did not use kava as it is traditionally prepared and consumed.

To reiterate, there is a substantial body of peer-reviewed literature making claims about kava's psychopharmacology, yet virtually none of these studies used kava. Some have gone further, inappropriately attributing adverse health outcomes to kava users. This helps explain why certain concerning health claims about kava persist in the literature: they are based not on kava itself, but on products mislabelled as kava.

Evidence based standards rely on rigorous research inclusive of appropriate methodological inputs.

iv. Regulatory and product description accuracy

Products marketed as 'kava' – despite not meeting that definition – risks misleading consumers and may breach consumer law. Advice from a consumer rights lawyer suggests such products potentially breach – for instance – legislation such as the *Australian Competition and Consumer Act 2010*.

v. Preventing the 'slippery slope'

Failing to distinguish kava from 'products' and 'value added commodification's' opens the door to misuse and the further maligning of safe non-addictive kava. Several examples can be provided; however, this presentation will focus on a dominant threat. That misuse is already happening, with unethical actors using kava's name and safe reputation to masquerade harmful substances like kratom. Kratom is a leaf with addictive, opioid mimicking properties, from Southeast Asian. Despite warnings and an FDA import ban, kratom remains legal in several U.S. states and is often marketed unlawfully as a dietary supplement.

When combined with *Piper methysticum*, kratom is commonly referred to as "gas-station heroin." The *U.S. Center for Disease Control and Prevention* in the past month reported 233 kratom-related deaths, many from what they called 'kratom-kava products', and a 1200% increase in poisoning reports over the past decade. That paper is in the reference list on the last slides.

Kratom is present in 86% of retail spaces in the U.S. called 'kava bars', many acting as fronts for illicit kratom where this addictive drug is mixed into *Piper methysticum* beverages or sold alongside them to mix in – leading to widespread confusion between

the two substances. A newly published paper in the *Journal of Addiction Medicine*, reporting on the dangers of mixing the two substances, does what many do including the media, it misrepresents the problem as being kava as opposed to kratom. That paper is in the citation list.

This matter is further confused by kava importers into the US who claim to represent 'kava lobbying groups' yet are fundamentally linked to the kratom industry. These 'culture industry' actors are known to schmooze with kava farmers and government officials, currying favour and suggesting the future of the kava industry is 'value added products', all while avoiding discussions about kratom and its dangers.

That threat is now here in the South Pacific, with kratom beverages marketed as kava, and kratom powder sold under misleading names such as *Bali tea*, available on the black market. Pacific leaders, including the Prime Minister of Fiji, have warned of the risks this 'slippery slope' poses to kava's reputation, safety, and export earnings.

Vanuatu's Biosecurity Director provides guidance for us regarding why making that distinction between kava and 'products containing *Piper methysticum*' is important and how this will aid in meeting our Terms of Reference and the development of evidence-based Standards: he says *any product that does <u>not</u> meet the definition of kava should <u>not</u> be called kava. Alternative naming is essential to avoid misleading consumers and improving safety, and to prevent the risk of another kava ban*.

It is worth clarifying that I am not necessarily against 'products', but those products are not kava and should not use the name kava, a position supported by indigenous rights frameworks. By making a clear distinction between kava and 'products' and preventing the use of the name kava from 'products' or practices/spaces that compromise kava safety – such as 'kava bars' that sell kratom – our Kava Standards can improve research rigor and better protect kava's authenticity, safety, and the livelihoods of Pacific farmers.

5. The Core Principle

(PPT[7]) Standards must begin with definition – clear, culturally and technically grounded, and evidence-based.

Because:

- *What we define determines what we regulate*; without clarity, we risk regulating <u>fundamentally different</u> substances as if they are the same.
- *What we name determines what we protect*, including kava's cultural significance, public health profile, and research and market integrity.
- *What we fail to distinguish becomes vulnerable to misuse*, allowing higher-risk products to appropriate the name 'kava,' mislead consumers, and undermine evidence-based standards.

- *And what we get right enables everything else*, supporting safety, research integrity, regulatory accuracy, and the development of harmonised standards and future Geographical Indicators.

6. In summary, our current Terms of Reference commit us to safeguarding authenticity, quality, and safety through common definitions and future GI development, yet this cannot be achieved while kava remains undefined or conflated with products that lack cultural, evidential, and, in some cases, safety alignment. Definition is essential.

I am suggesting a two-step process: the **Kava CODEX Alimentarius provides step one**: a substantial Pacific-led framework for harmonised standards that safeguards authenticity, ensures quality and safety, which also provides technical definitions for kava research, with rigorous research essential to ensuring evidence-based standards.

Step two is equally important: clearly defining what kava is not by distinguishing kava from 'products containing *Piper methysticum*'. These so-called 'value added products' are being touted as innovative, the future of the industry; this is short-sighted – they have, and continue to, damage kava's safe reputation. Kava must be kept separate from products. (PPT[8]) With a clear statement in the Standards that products are not kava and should not use the name kava, together with the threat of kratom to kava's safe reputation, this will provide regulatory clarity, improve public health protections, aid accurate education and support research and market integrity. All of this contributes to reducing factors that could trigger another kava ban with devastating impacts on Pacific livelihoods and economies.

Reference list (followed by PowerPoint slides)

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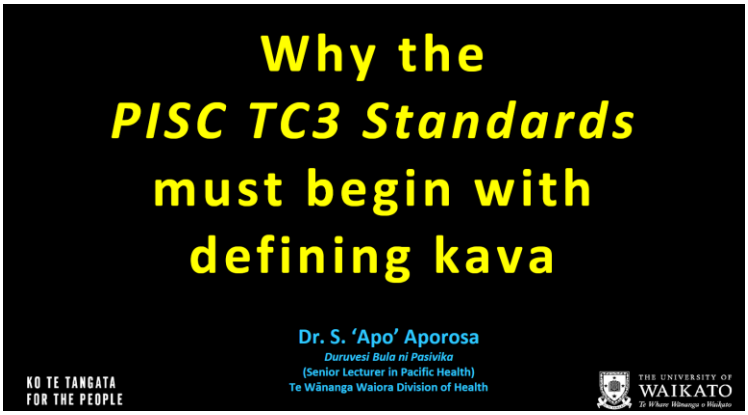
PowerPoint Slides



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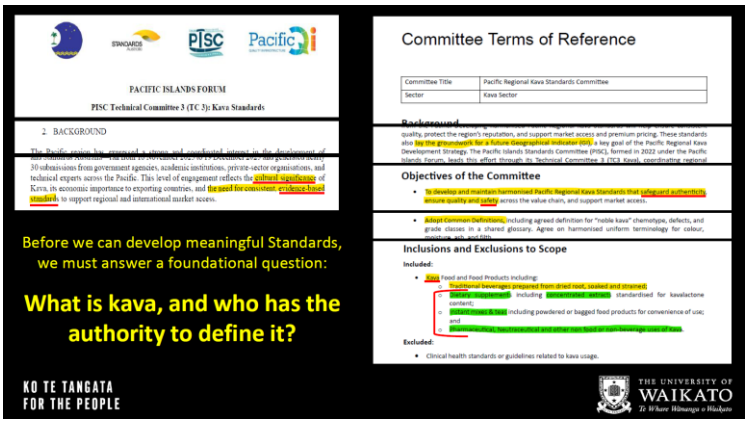
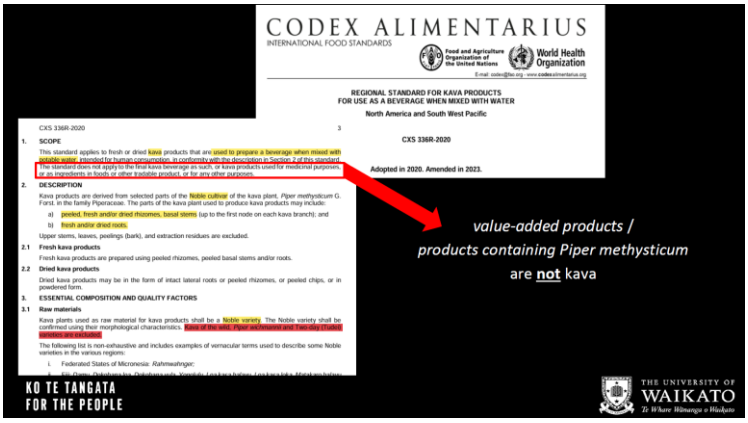

PACIFIC ISLANDS FORUM
PISC Technical Committee 3 (TC 3): Kava Standards
2. BACKGROUND
Committee Terms of Reference
Committee Title
Pacific Regional Kava Standards Committee
Sector
Kava Sector
Objectives of the Committee
Inclusions and Exclusions to Scope
Included:
Excluded:
Clinical health standards or guidelines related to kava usage.
Before we can develop meaningful Standards, we must answer a foundational question:
What is kava, and who has the authority to define it?
KO TE TANGATA FOR THE PEOPLE
THE UNIVERSITY OF WAIKATO
Te Whare Wānanga o Waikato
2

Kava is more than just a plant – it is the lifeblood of many Pacific Island cultures, a symbol of unity, peace, heritage, and tradition
Fiji Government's Post
Kava is not just a plant or drink; it's a cultural system
The lifeblood of culture, a sacrament, a relational 'conduit', ingestible manifestation of land, culture and people
Kava, sika, sakau, maloku, yaqona, 'ava, 'awa .. is noun and verb: incl. Piper methysticum (plant and prepared drink), protocols, talanoa-vā, and vakaturaga, faka'apa'apa, fa'asamoa, pono etc...
Kava is a cultural keystone species - medicine, practice, ceremony...
The sole authority to define kava rests with Pacific peoples and their knowledge systems. That authority is supported by UNDRIP, WIPO, Nagoya Protocol etc.
KO TE TANGATA FOR THE PEOPLE
THE UNIVERSITY OF WAIKATO
Te Whare Wānanga o Waikato
3


CODEX ALIMENTARIUS
INTERNATIONAL FOOD STANDARDS
REGIONAL STANDARD FOR KAVA PRODUCTS FOR USE AS A BEVERAGE WHEN MIXED WITH WATER
North America and South West Pacific
CXS 336R-2020
Adopted in 2020. Amended in 2023.
1. SCOPE
2. DESCRIPTION
value-added products / products containing Piper methysticum are not kava
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KAVA
≠
'products containing Piper methysticum' (or alternative not including word kava)
Why definition / distinction matters for Standards
If we do not clearly define kava, we cannot regulate it effectively
Kava ≠ 'products containing Piper methysticum' - no resemblance to kava as defined by traditional knowledge, 'cultural significance' or evidence-based standards.
Kava:
low risk (WHO etc.)
Extracts and commodified products can be:
highly concentrated, chemically altered, can include dangerous additives, have greater risk potential including liver toxicity
Commodification's marketed as kava create a dangerous category error by giving customers the impression 'products containing Piper methysticum' are inherently safe.
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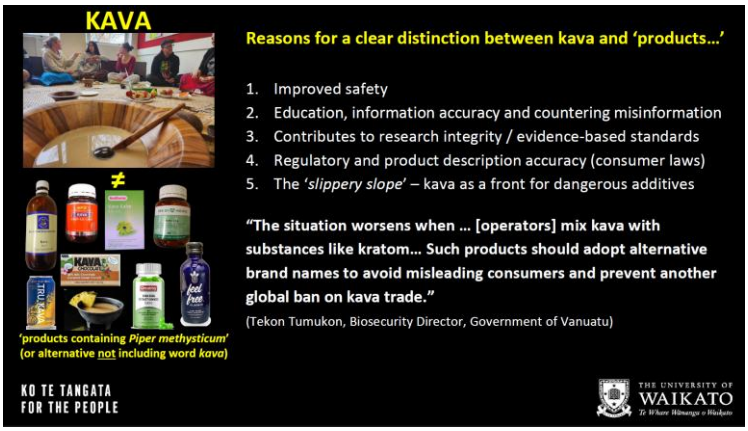
KAVA
Reasons for a clear distinction between kava and 'products…'
1. Improved safety
2. Education, information accuracy and countering misinformation
3. Contributes to research integrity / evidence-based standards
4. Regulatory and product description accuracy (consumer laws)
5. The 'slippery slope' – kava as a front for dangerous additives
"The situation worsens when … [operators] mix kava with substances like kratom… Such products should adopt alternative brand names to avoid misleading consumers and prevent another global ban on kava trade."
(Tekon Tumukon, Biosecurity Director, Government of Vanuatu)
'products containing Piper methysticum' (or alternative not including word kava)
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Kava is more than just a plant – it is the lifeblood of many Pacific Island cultures, a symbol of unity, peace, heritage, and tradition
The Core Principle: Standards must begin with definition
Definition: clear, culturally grounded, and evidence-based.
Because:
What we define determines what we regulate
What we name determines what we protect
What we fail to distinguish becomes vulnerable to misuse
And what we get right enables everything else
Definition is essential to "evidence-based … Kava Standards that safeguard authenticity, ensure quality and safety … "
'Products' are not the future of kava; they are its greatest risk.
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Kava is more than just a plant – it is the lifeblood of many Pacific Island cultures, a symbol of unity, peace, heritage, and tradition
KAVA & KRATOM BAR
PRESCRIPTION
the slippery slope
FDA warns addictive 'gas station heroin' supplement widely available in U.S.
SCAN FOR SLIDES
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